



JOS M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

8/047/0079

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May 20, 2009

CERTIFIED RETURN RECEIPT

7005 2570 0000 4801 7727

Justin Farley
United Stone and Design
PO Box 99
Duchesne, Utah 84021

Subject: Proposed Assessment for State Failure to Abate Cessation Order No. MC-2008-59-02, United Stone and Design, United Stone Mine, S/047/0079, Uinta County, Utah
Response Due By: 30 Days of Receipt

Dear Mr. Farley:

The undersigned has been appointed by the Division of Oil, Gas & Mining as the Assessment Officer for assessing penalties under R647-7.

The proposed penalty assessment of \$6,000.00 for the Failure to Abate Cessation Order # MC-2008-59-02, (FTACO) which was issued November 13, 2008 was determined utilizing Rule R647-7-103 et. seq. as follows:

Effective date of the FTACO: December 8, 2008 (date the FTACO was served)

Effective date of Abatement: December 16, 2008 (date DOGM was notified abatement work was completed)

The FTACO was in effect for 8 days.

Proposed assessment: \$6,000.00 (minimum mandatory assessment of \$750.00 (per day))

By these rules, any written information which was submitted by you or your agent within fifteen (15) days of receipt of this FTACO has been considered in determining the facts surrounding the violation and the amount of this penalty.



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May 20, 2009
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Under R647-7-106, there are two informal appeal options available to you. You may appeal the 'Fact of the Violation', the proposed civil penalty, or both. If you wish to informally appeal you should file a written request for an Informal Conference within thirty 30 days of receipt of this letter with Vickie Southwick of the Division.

The informal conference will be conducted by a Division-appointed Conference Officer. The informal conference for the fact of the violation is distinct from the informal assessment conference regarding the proposed penalty. If you wish to review both the fact of the violation and proposed penalty assessment, you should file a written request for an Assessment Conference within thirty- (30) days of receipt of this letter. If you are also requesting both a review of the fact of violation, and the proposed penalty, the assessment conference will be scheduled immediately following the review of the fact of the violation.

If a timely request for review is not made, the fact of the violation will stand, the proposed penalty will become final, and will be due and payable within thirty- (30) days of the date of this proposed assessment (by June 22, 2009). Please remit payment to the Division, mail c/o Vicki Bailey.

Sincerely,

Lynn Kunzler
Assessment Officer

LK/vs

cc: Vicki Bailey, Accounting
Vickie Southwick, Exec. Sec.

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TERMINATION of Cessation Order

To the following Permittee or Operator:

Name: United Stone & Design (Justin Farley)

Mailing Address: PO Box 99, Duchesne, UT 84021

Mine Name: United Stone & Design Permit Number: S/047/0079

Utah Mined Land Reclamation Act, Section 40-8-1 et. seq., *Utah Code Annotated (1953)*

Failure to Abate Cessation Order No: MC-2008-59-02 dated: November 13, 2009

is ☐ vacated ☒ terminated because:

The operator completed the required abatement work. He has removed the trash from the sites, including the old van, and moved the stockpiled mining product into town.

Termination is effective December 16, 2008 (date Division received documentation from the operator complying with agreement to limit disturbance to acreage for which bond is held.)

Date of service/ mailing: May 20, 2009 Time of service/ mailing: 10:30 A.m

Leslie Heppler
Division of Oil, Gas & Mining Representative

Environmental Scientist
Title

Signature

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